

**ASSEMBLY BILL**

**No. 1508**

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**Introduced by Assembly Member Carter**

January 12, 2012

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An act to amend Section 2810 of the Vehicle Code, relating to vehicles.

LEGISLATIVE COUNSEL'S DIGEST

AB 1508, as introduced, Carter. Vehicles: inspection of loads.

(1) Existing law authorizes the Department of the California Highway Patrol to stop a vehicle transporting timber products, livestock, poultry, farm produce, crude oil, petroleum products, or inedible kitchen grease and inspect certain documents to determine whether the driver is in legal possession of the load, and, upon reasonable belief that the driver of the vehicle is not in legal possession, to take custody of the vehicle and load, as prescribed, and imposes duties on the sheriff with respect to the care and safekeeping of those products.

This bill would additionally authorize a member of a city police department or a member of a county sheriff's office, whose primary responsibility is to conduct theft investigations, to stop any vehicle, and would make those provisions applicable with regard to a vehicle that is transporting metal products or metal alloy products. By imposing additional duties on a sheriff regarding the care and safekeeping of metal products and metal alloy products, this bill would impose a state-mandated local program.

The bill additionally would authorize a member of a city police department and a member of the county sheriff's office, whose primary responsibility is to conduct theft investigations, to stop and inspect vehicles transporting any of those loads.

(2) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: yes.

*The people of the State of California do enact as follows:*

1 SECTION 1. Section 2810 of the Vehicle Code is amended to  
2 read:

3 2810. (a) A member of the *Department of the* California  
4 Highway Patrol, *a member of a city police department whose*  
5 *primary responsibility is to conduct theft investigations, or a*  
6 *member of a county sheriff's office whose primary responsibility*  
7 *is to conduct theft investigations* may stop any vehicle transporting  
8 any timber products, livestock, poultry, farm produce, crude oil,  
9 petroleum products, *metal products, metal alloy products*, or  
10 inedible kitchen grease, and inspect the bills of lading, shipping  
11 or delivery papers, or other evidence to determine whether the  
12 driver is in legal possession of the load, and, upon reasonable belief  
13 that the driver of the vehicle is not in legal possession, shall take  
14 custody of the vehicle and load and turn them over to the custody  
15 of the sheriff of the county in which the timber products, livestock,  
16 poultry, farm produce, crude oil, petroleum products, *metal*  
17 *products, metal alloy products*, or inedible kitchen grease, or any  
18 part ~~thereof~~ *of those loads*, is apprehended.

19 (b) The sheriff shall receive and provide for the care and  
20 safekeeping of the apprehended timber products, livestock, poultry,  
21 farm produce, crude oil, petroleum products, *metal products, metal*  
22 *alloy products*, or inedible kitchen grease, or any part ~~thereof~~ *of*  
23 *those loads*, and immediately, in cooperation with the department,  
24 proceed with an investigation and its legal disposition.

25 (c) Any expense incurred by the sheriff in the performance of  
26 his or her duties under this section shall be a legal charge against  
27 the county.

1       SEC. 2. If the Commission on State Mandates determines that  
2 this act contains costs mandated by the state, reimbursement to  
3 local agencies and school districts for those costs shall be made  
4 pursuant to Part 7 (commencing with Section 17500) of Division  
5 4 of Title 2 of the Government Code.

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